

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DAVID MULLEN,	:	
	:	CASE NO.: 1:19-cv-09632-LAK
Plaintiff,	:	
-against-	:	
	:	
EMPIRE RESORTS, INC., EMANUEL R.	:	
PEARLMAN, KEITH R. HORN, EDMUND	:	
MARINUCCI, NANCY A. PALUMBO,	:	
GERARD EWE KENG LIM, RYAN ELLER,	:	
and NANETTE L. HORNER,	:	
	:	
Defendants.	:	
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**NOTICE OF DISMISSAL**

Notice is hereby given that pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff voluntarily dismisses the above-titled action as moot. This notice of dismissal is being filed with the Court before service by Defendants of either an answer or a motion for summary judgment.

Dated: November 7, 2019

Respectfully Submitted,

**MONTEVERDE & ASSOCIATES PC**

/s/ Juan E. Monteverde  
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